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Residents' Ire Rises Over Growth in Montgomery

Outcry Over County Actions Could Resound in Elections

By TIM CRAIG
Washington Post Staff Writer

Dozens of Montgomery County residents who attended a recent planning board hearing on widespread building violations in Clarksburg Town Center had a pointed message for elected officials.

"Please, please watch our store," said Max Bronstein, a member of the Strathmore Bel-Pre Civic Association.

Last week, an equally impassioned crowd showed up at a Montgomery County Council hearing to denounce proposals to build more mid-rise buildings in Bethesda's Woodmont Triangle. And last month, 500 Chevy Chase residents — nearly one-fifth of the town's population — signed a petition calling for a year-long moratorium on construction to keep the town's bungalows from being razed to make room for larger houses.

Across Montgomery, residents' anger over the county government's approach to managing growth is increasing, putting elected officials on the defensive. The outcry promises to be a major factor in next year's elections, presenting challenges for County Executive Douglas M. Duncan (D) and the council majority he helped elect in 2002.

"I think this is just the tip of the iceberg," said Tom Reinheimer, chairman of the Montgomery County Republican Central Committee. "I think anybody, whether they are on the Republican side or the Democratic side, may be able to exploit what has been happening."

As Montgomery officials acknowledge that they were ill-equipped to oversee growth in the northern part of the county, and as concerns grow over so-called "mansionization" and overdevelopment in neighborhoods closer to the Beltway,

Anger Increases Over Growth

GROWTH, From B1

some civic activists see the perfect environment for a voter rebellion.

"I frankly think maybe it's time to clean house," said Amy Presley, a leader of the Clarksburg Town Center Advisory Committee, which discovered that hundreds of homes in Clarksburg Town Center were built in violation of height and setback requirements. "All of the [civic] groups are getting together . . . and we are comparing notes."

Business leaders, who maintain that residents concerned about overdevelopment are just a sliver of the electorate, plan an equally aggressive rebuttal so that recent gains they have made on transportation issues are not reversed.

"The time the average voter sits in traffic is far more important than whether some buildings are 35 or 45 feet high," said Richard Parson, executive director of the Montgomery County Chamber of Commerce.

Growth issues have been a dominant theme in Montgomery elections for decades. Unlike counties farther from the District, such as Loudoun and Carroll, the debate in Montgomery often is fought on the margins between those who advocate no growth and those in favor of slow, managed growth.

In 1986, residents embraced relatively modest growth by electing County Executive Sidney Kramer (D). Four years later, however, they voted to replace him with Neal Potter (D), who advocated a more restrained approach.

In 1994, voters chose Duncan's approach: controlling growth while fostering a favorable business climate. Duncan, who has been elected to three consecutive terms, has used that mandate to break through the bureaucracy and expedite several redevelopment projects, most notably the revitalization of Silver Spring.

Yet neither the planning board, which is overseen by the County Council, nor the Department of Permitting Services, overseen by Duncan, realized the extent of the problems in Clarksburg. Some said Duncan and the council are to blame for fostering a policy of lenience.

"Duncan has made it clear he wants to facilitate development and he wants to clear up any red tape to speed things along," said Norman Knopf, an attorney for the Clarksburg Town Center Advisory Committee. "That was his message to his staff, and they heard it loud and clear."

David Weaver, a Duncan spokesman, did not respond directly to Knopf's charges, but he said that "in Clarksburg, developers violated the public trust and didn't play by the rules."

Duncan, a candidate for governor, and the council are trying to respond to the Clarksburg ordeal.

Last week, Duncan demanded that the planning board issue "harsh" penalties against the Newland Communities, the developer of Clarksburg Town Center.

Duncan, who needs a strong showing in Montgomery if he is beat Baltimore Mayor Martin J. O'Malley in the Democratic primary, also announced he wants to increase fees on developers so the county can hire additional zoning and building enforcement inspectors.

Besides ordering an investigation into the Clarksburg matter, the County Council is expediting plans to build a new fire station in the community. Fire officials

and residents have said a new firehouse is long overdue.

And despite opposition from the building industry, a majority of council members is leaning toward restricting the height of new homes in zoned neighborhoods to 30 feet — instead of the current 35-foot standards — to curb "mansionization."

Development issues will be at the forefront of the agenda this fall when the council decides whether to allow large church complexes to be built in the agriculture preserve in northern Montgomery. The council also must decide the future of Shady Grove by taking up its 20-year master plan, the type of document that Clarksburg residents said was largely ignored by Newland Communities.

Regardless of the outcome of those debates, civic activists predict a fight next year over the future of county-growth policies because of the council's record.

In 2002, Duncan and the development industry poured hundreds of thousands of dollars into electing a Democratic council majority that supported building the intercounty connector. The successful End Gridlock slate consisted of council members Steven A. Silverman (At Large), Nancy Floreen (At Large), George L. Leventhal (At Large), Michael L. Subin (At Large) and district member Michael Knapp (D-Upcounty).

And while its members are largely splintered over various issues, the team generally has been more receptive to the business and development industry than some predecessors.

In 2003, the council voted 5 to 4 to revise its growth plan by raising so-called impact taxes, which are charged to developers based on the type of housing they build and the location. But the council also eliminated "policy area review," which used formulas to determine whether certain communities were too overwhelmed by traffic to sustain new housing.

The policy — crafted by Silverman, who is running for county executive — effectively lifted bans on new subdivisions in Aspen Hill, Clarksburg, Olney, Montgomery Village and Fairland/White Oak. Before the provision was lifted, developers wanting to build had to pay for infrastructure.

"Those issues are things people can look at as being heavily pro-development," said former council member Isiah Leggett, Silverman's opponent for the Democratic nomination.

Silverman, who noted that the county is growing less than 2 percent annually, counters that residents are especially interested in building the necessary infrastructure to accommodate existing residents, as well as future residents.

"I don't think Montgomery County voters react in a knee-jerk way to the anti-growth movement," Silverman said.

Last year, voters rejected an effort to scrap at-large council seats in favor of nine single-member districts, which supporters had argued would limit the influence of developers.

As for next year, former council member Nancy Dacek, a Republican whom Knapp unseated in 2002, is still trying to figure out what effect the controversy in Clarksburg will have on the election.

"I think most people are going to say this was really an issue where Montgomery County let them down," Dacek said. "But I don't really think it will resonate politically."

She added quickly: "But certainly, if I were running against someone, I would use it."